

1203 – DELEGATION OF AUTHORITY

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- .01 Purpose. This release establishes a standard method for re-delegating formal authorities within the organizations under the control of the Montana/Dakotas State Director. References to all known formal delegations, including those in the BLM Manual, are provided and guidelines are established for determining further re-delegations that may be desirable. The release also provides policy for designating acting officials.
- .02 Objectives. (See BLM Manual 1203.) This release is issued to meet the following objectives:
- A. Provide line and staff managers with the necessary authorities to manage BLM programs.
 - B. Provide key officials with a standard system for authorizing subordinates to serve in an acting capacity.
 - C. Assist all officials in identifying their formal authorities.
 - D. Facilitate evaluation of proposed and existing re-delegations of authority by consolidating all delegations in one section of the Bureau Manual.
- .03 Authority. Departmental Manual Parts 135, 200, 205, 235, 290, 295, and 296. BLM Manual 1203.
- .04 Responsibility.
- A. through F. (See BLM Manual 1203)
 - G. The State Director is responsible for periodically evaluating authorities to determine if re-delegation to other officials within the state is desirable. This ensures that delegations within the state follow sound management practices and facilitate the accomplishment of Bureau objectives. The Associate State Director has the full delegated authority given to the State Director, and exercises it under the general supervision of the State Director.
 - H. Deputy State Directors ensure that re-delegations of authority within the state are in keeping with the procedures and requirements set forth in this section of the manual. Other responsibilities include providing advice to the State Director regarding re-delegation proposals within the state and periodically evaluating the system for re-delegating authority set forth in this section of the manual.
 - I. Field Managers are responsible for thoroughly understanding authorities re-delegated to them and for evaluating the desirability of further re-delegating authority to other Field Office officials. They ensure that re-delegations within their office comply with the requirements set forth in this section of the manual and recommend to the State Director other delegations which could be made to the Field Offices.
 - J. All Management Officials who have the stated prerogative of re-delegating all or part of their authorities are responsible for determining the desirability of further re-delegation. They are responsible for ensuring that all of their authorities are exercised on a daily basis consistent with job responsibilities and Bureau objectives. All managers must remember that although authority may be re-delegated, they are still responsible for assuring that all actions are properly taken.
- .05 References. (See BLM Manual)

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.06 Policy. It is the policy of the State Director to re-delegate formal authority to the lowest organizational level consistent with the following principles:

- A. The incumbent of the position has the knowledge and ability to accurately and judiciously exercise the authority. Full re-delegations will not be made to incumbents who have not reached the full performance level of their positions.
- B. The use of formal authority is necessary to meet the daily requirements of the job.
- C. The re-delegation is consistent with Bureau policies and procedures.
- D. The re-delegation can be clearly defined in writing and is not likely to raise jurisdictional questions.
- E. The re-delegation will promote better balance in workload among positions.
- F. The re-delegation does not conflict with the public's convenience in identifying a minimum of Bureau officials responsible for specific official acts.

.07 File and Records Maintenance. Filing requirements are found in the GRS/BLM Combined Records Schedule (BLM Manual 1220).

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.1 Provisions for Delegations or Re-delegations..11 Authority to Delegate or Re-delegate. (See BLM Manual 1203.11.)A. Derivation of Authority. (See BLM Manual 1203.11A)

1. For the purposes of BLM Manual Section 1203, all authorities held by a particular line manager position are also held by positions organizationally titled "Associate" to that particular position (for example, Associate State Directors share all authorities held by State Directors).
2. (See BLM Manual 1203.11A2)

B. Positions Holding Authority. (See BLM Manual 1203.11B).12 Level of Re-delegation.A. General Rule for Level of Re-delegation. It is the policy of the Bureau that all authorities be delegated to the lowest organizational level possible, consistent with efficient program management.B. Criteria for Determining Level of Authority. (See BLM Manual 1203.12B)

1. through 6. (See BLM Manual 1203)
7. The official considering re-delegation must make certain that the original delegation of authority allows further re-delegation of that authority.
8. The delegating official must determine that a re-delegation is desirable and in keeping with Montana/Dakotas policy as covered in Section .06 and sound management practices.

.13 Publication of Delegation or Re-delegations.A. Departmental Requirements. Departmental Manual Part 200 DM 1.10 provides basic guidance on requirements for publication of delegation of authority in the Federal Register. The subchapter states that any re-delegation of the Secretary's authority will follow the policy that if the re-delegation "has a direct impact on some sector of the public, it will be published in the Federal Register." The subchapter further states that officials should use "judgment" in determining the point at which the re-delegation directly affects the public and should be published in the Federal Register.

1. Re-delegations of authority of a purely internal nature (contracts, personnel, some Cadastral Survey matters, etc.) do not require publication.
2. The purpose of publishing delegations of authority in the Federal Register is to officially notify the public of the organizational location of the authorized officer who has the authority to act on specific matters. Thus, it is not necessary to publish a re-delegation of authority if the authority will in turn be re-delegated to a lower organizational level. Only the last re-delegation need be published.

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3. Most Bureau authorities do not need to be published in the Federal Register. It is emphasized that only instances of "direct impact" on the public require publication, or if the original delegations was published in the Federal Register.
- B. Publishing Method. Plenary delegations of authority to State Directors which will, in turn, be re-delegated to Field Office personnel, will be published in one announcement in the Federal Register rather than having each office publish an announcement. This one announcement delegating authority directly to Field Office personnel must be published under the Director's signature. Such delegation does not in any way restrict State Directors' prerogatives or responsibilities under BLM Manual Section 1203.2.

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.2 Delegating, Re-delegating, or Revoking Authority..21 Notification of Position Receiving Authority. (see BLM Manual).22 Recordation and Documentation.A. Amendments to BLM Manual. (See BLM Manual 1203)

B. Revisions to Position Description. Amendments to Montana Manual Section 1203, which delegate authorities, may often require revisions in the performance evaluation form and the position description of the position or positions receiving the authority. Authorities must not be delegated without review and, if necessary (in instances of major changes in authority), revision of EPPRRs and position descriptions to reflect the addition of the delegated authorities.

C. Documentation of Existing Delegations. Delegations and re-delegations of authority pertaining to Bureau activities in the state are documented as follows:

1. Correspondence Signing Authorities. Standard correspondence signing authorities are provided as Appendix 1.
 2. Index of Delegated Authorities. Appendix 2 identifies delegations of authority from the Bureau Director to Montana/Dakotas positions in subject code order. It also indicates present re-delegations of authorities within Montana/Dakotas through the Deputy State Director, Field Manager, and Assistant Field Manager levels. Re-delegations below these levels in Appendix 2 are identified as footnotes or are noted specifically by position title. The index provides reference to source documents from which the delegation was made. The source documents describe the nature of the delegation in detail, including any authority to re-delegate.
 3. Re-delegation of Authority Procedures. The following general procedures are to be used in making formal re-delegations of authority within Montana/Dakotas:
 4. Authority to Re-delegate. The official considering re-delegation must make certain that the original delegation of authority allows further re-delegation of that authority.
 5. Determination of Advisability. The delegating official must determine that a re-delegation is desirable and in keeping with Montana/Dakotas policy as covered in Section .06 and sound management practices.
- .23 Revoking Authority. Any official withdrawing a delegation of authority must do so in writing and furnish copies of the action to the employee involved and to the State Office (MT-930). Subsequent re-delegation must also be in writing and with the same number of copies.
- .24 Designating Acting Officials. This section provides procedures for designating acting officials within Montana/Dakotas and for certifying times spent in this capacity. Actual designations will be made on Form 1203-1 (Illustration 1). All members of the State Management Team, State Office Management Team and Field Office Management Team will maintain written acting schedules.

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A. Rotating Schedules.

1. Only one individual may be designated as Acting for a specified period of time.
2. Form 1203-1, Designation of Acting Officials (see Illustration 1) will be used to record standard acting rotation schedules within offices and to officially record the specific period that individuals serve in an acting capacity.

B. Authority of Acting Officials. Individuals serving in an acting capacity assume all the authorities of that position, unless authorities are withheld. Individuals serving in that capacity must use judgment in exercising these authorities. This includes considering the relative importance of an issue, whether the issue could or should be deferred, and the known preference of the individual for whom that person is acting.

C. Details or Temporary Promotions. Employees detailed or temporarily promoted to positions covered in this manual supplement will assume the responsibilities and delegations of that position and will sign documents as "Acting."

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.3 Re-delegations of Authority in State Directors.31 Jurisdictional Authority. (See BLM Manual)

<u>BLM State Director</u>	<u>Jurisdiction</u>
State Director, Montana	Montana, North Dakota, South Dakota

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- .4 Current Delegations of Authority Affecting Montana/Dakotas BLM. Appendix 2 provides an index to current delegations and re-delegations of authority concerning Montana/Dakotas's programs and operations. The Appendix is set up as follows:

.41 Explanation of Appendix Format

- A. Column 1: Reference Code (Subject Code). This column lists the Bureau's subject code or citation from other reference documents for the activities described in Column 2. In the majority of cases these codes serve as cross-references to the BLM Manual Section where the activities are discussed. In cases where BLM Manual Sections do not exist for the activity listed, the references are to (1) the Code of Federal Regulations (CFR), (2) the appropriate statute, or (3) the Departmental Manual.
- B. Column 2: Activity. This column contains descriptions of specific activities or groups of activities concerning a related subject. All the activities to which a legal authority is attached are not listed individually. If a group of activities are related and are held in one position, they are summarized in one descriptive statement.
- C. Columns 3-11: Authority Delegated To.
 - 1. If the Delegation is Delegated to a Specific Position or reserved to the Department or Bureau staff or other entity, these columns will contain the name of the position holding the authority.
 - 2. Authority Delegated To. These columns list delegations of authority to Field Office and State Office Managers and staff. Delegations are made to the level where the authority should normally be exercised. Any manager delegated authority may re-delegate that authority unless re-delegation is specifically restricted (noted with a "O"). Managers may also revoke an authority delegated to their employees in this manual supplement. Additional delegations and revocations must be made in writing and incorporated into this manual supplement. When the delegation is made to a particular position, it is so noted, either by footnote or text.

- .42 How To Revise the Index. Additions, deletions, amendments or corrections to material in this Manual Supplement shall be directed to the State Director (MT-930) by memorandum or email explaining and justifying the proposed revision.

- A. The proposed revisions shall be reviewed and, if approved by the State Director, incorporated into the Manual Section as they occur, but not less than quarterly, by MT-930.
- B. Long term Delegations of Authority shall not be made by memorandum, but only by amending this manual section.

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Glossary of Terms

- A -

authority: the ability to make the final, binding decision or take specific action, or both, as an official representing the United States Government. Such authorities have a legal base in statute or regulation.

- D -

delegation of authority: written notice from the official who holds the particular authority to an official or officials who do not hold the authority, giving the power to take actions or make decisions of legal standing regarding the particular authority. (Authority to make a decision or take an action is different from having responsibility. For example, the ability to sign a grazing permit as provided in the Taylor Grazing Act is an authority that can be delegated. The daily administration of procedures related to the grazing program is an assigned responsibility. Assigned responsibilities are listed in all BLM Manual Sections at .04).

designation of acting official: identification of an individual to serve in place of another official for a limited period of time. Unless otherwise reserved or restricted, it is understood that the acting official is empowered to exercise all authorities of the official position which is temporarily occupied.

- J -

job responsibilities: the duties employees perform as part of their daily work and that are generally described in each employee's position description. Some job responsibilities may require a formal delegation of authority in order for the incumbent to take action. However, most daily work of Bureau employees can be accomplished through the assignment of responsibility to an employee in the position description and the performance evaluation form.

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DELEGATION AND CERTIFICATION OF ACTING AUTHORITY (FORM 1203-1)

<div>Form 1203-1 (December 1980) UNITED STATES DEPARTMENT OF THE INTERIOR BUREAU OF LAND MANAGEMENT</div> <div>DELEGATION AND CERTIFICATION OF ACTING AUTHORITY</div>				Office	
				Position	
				PERIOD (<i>Date</i>)	
				FROM	THROUGH
In my absence, the following individual(s) are designated to act in the above position in the order listed below.					
NAME			TITLE		
Authorizing signature			Title		Date
I CERTIFY that I served in the above position during the period(s) shown below.					
FROM		THROUGH			
DATE	TIME	DATE	TIME		
Remarks					

(Continued on reverse)

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[illegible]

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CORRESPONDENCE SIGNING AUTHORITIES

If the official to receive the correspondence is one of the following:	When the Correspondence will:			The Signing Official Is:		
	Establish New Policy or Discuss Sensitive Material	Establish New Procedure	Furnish General Info. Within Delegated Authority	SD/ASD	DSD's*	FM's*
Congressman or Secretary	X			X		X
		X		X		X
			X	X	X	X
Public (FOIA)				1		1
Public (General)	X		X	X	X	X
Other Federal/ State Agencies	X			X		
		X		X	X	X
			X	X	X	X
Director (WO)	X			X		
		X		X		
			X	X	X	
Director (NIFC, NTC, or other Centers)	X			X		
		X		X	X	X
			X	X	X	X
Field Manager	X			X		
		X		X	X	
			X	X	X	X

* - Within Area of Authority, and/or with counterparts

X - Signing Authority

1 - See Reference Code 1278 in Appendix 2 for specifics

NOTE: In specific instances where the correspondence is simply for the purpose of imparting general information (such as a recreation planner sending campground information to a member of the public), or scheduling an appointment (such as a rangeland management specialist setting a time to meet with a range user in the field), staff specialists may sign their own correspondence. This is at the discretion of the State Director, Deputy State Director, or Field Manager. When it is authorized, the manager should prepare a written delegation indicating the specific type of situations where this will be authorized with copies to involved individuals.

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